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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,873	01/17/2006	Richard Fargo	OTS166/60469-250	3868
64779 7590 07/31/2009 CARLSON GASKEY & OLDS 400 W MAPLE STE 350 BIRMINGHAM, MI 48009				
EXAMINER				
KRUEER, STEFAN				
ART UNIT		PAPER NUMBER		
3654				
MAIL DATE		DELIVERY MODE		
07/31/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: RICHARD FARGO and RICHARD L. HOLLOWELL

Application No. 10/564,873
Technology Center 3600

Mailed: July 31, 2009

Before LAWRENCE J. BANKS *Paralegal Specialist*.

BANKS, *Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 29, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

The Examiner filed a Miscellaneous Communication filed July 15, 2009, notifying Appellants to amend claims 13-20. In response Appellants filed an Amendment After Final dated July 23, 2009. There is no indication on the record that the Examiner has considered the above Amendment After Final.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Amendment After Final filed July 23, 2009 as required; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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